

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: TESTOSTERONE REPLACEMENT
THERAPY PRODUCTS LIABILITY
LITIGATION

MDL No. 2545

Master Docket Case No. 1:14-cv-01748

Honorable Matthew F. Kennelly

This document relates to:

Mitchell v. AbbVie Inc., No. 1:14-cv-09178

JOINT NOTICE OF FILING OF FIRST AMENDED EXHIBIT LISTS

The parties in the above-captioned action hereby submit their First Amended Exhibit Lists, attached hereto as Exhibits A and B. Further to the Court's instructions, the parties have respectively identified their "will use" general liability exhibits.

The parties have met and conferred regarding their "will use" exhibits and objections thereto. With respect to the "will use" exhibits, the parties have designated on the attached First Amended Exhibit Lists those objections (not shaded) that they maintain and which may require Court ruling ("pending objections"), those objections (shaded in blue) which are subject to the Court's prior rulings on the parties' respective *Motions in Limine* ("reserved objections"), and the Court's *limine* rulings set forth in Case Management Order No. 59. Some documents are subject to both pending objections and reserved objections. The parties agree that the Court need not further rule on any reserved objections. Any exhibits admitted during trial shall be admitted subject to the parties' reserved objections.

The parties also have agreed that certain exhibits designated on the attached First Amended Exhibit Lists, and subject to Court approval, shall be pre-admitted for use during the trial of this matter without the necessity for the offering party to move for their admission in front of the jury. Any pre-admitted exhibits shall be admitted subject to the parties' reserved objections. Any pre-admitted exhibit shall be utilized substantively with a witness called to

testify at trial either live or by deposition. To the extent any such pre-admitted exhibit is not utilized substantively during trial with a witness called to testify at trial either live or by deposition, such pre-admitted exhibit shall be withdrawn prior to submission of the exhibits to the jury at the close of trial.

Whether or not included on their respective First Amended Exhibit Lists, the parties reserve their rights to use any exhibit identified by the other party. The parties further reserve their rights to further supplement these lists by agreement, subject to Court approval, or for good cause shown, and further reserve their rights to use one or more exhibits not listed herein for impeachment or rebuttal at trial and will identify such exhibits at the appropriate time at trial.

Date: July 5, 2017

Respectfully submitted,

/s/ Troy A. Rafferty

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CERTIFICATE OF SERVICE

I hereby certify that on July 5, 2017, the foregoing document was electronically filed with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Troy A. Rafferty

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